

Re. point III.

AP2004/051879 30 MAR 2006

1. Article 6 PCT prescribes that the **claims** must specify the object for which protection is being claimed. The meaning of the claims must be clear from their wording as far as possible to the person skilled in the art (PCT Guidelines §5.31).

In the present case the object of claim 10 is made by references to the UMTS or GSM standard.

A standard is rarely a fixed document but can often change over the course of time. The precise technical features which are indicated by the names mentioned are not clear. If these features were to be made clear by these names, it would still remain unclear as to whether the names mentioned actually belong to the object of the claims or the claims also include other objects which, although they also contain the same technical features, bear another name however.

Therefore ambiguities also arise in the present case which are similar to the problem of using a brand (PCT Guidelines §5.39).

Therefore no opinion could be given about the novelty, inventive step or commercial applicability of the present application.

Re. Point V.

- 1 The following document is referred to in this decision:

D1 : EP 1 289 241 A (SHARP KABUSHIKI KAISHA) 5th March 2003
(2003-03-05)

- 2.1 The present application does not meet the requirements of

Article 33(1) PCT, because the object of the claims 1 and 10 is not novel in the sense of Article 33(2) PCT.

Document D1 discloses (the references in brackets relate to this document):

Methods for setting up a communication link from a first telecommunication device (Figure 1, Reference 3: "Calling-END terminal station") over a telecommunication network (Figure 1, Reference 7: "Communications Network") to a second telecommunication device (Figure 1, Reference 5: "Called-END terminal station"), with the following steps:

Storing a plurality of multimedia objects (column 4, line 16: "... animation or other types of moving pictures ..." as an example of "calling party information), which is assigned to a first telecommunication subscriber, together with a relevant reference number (paragraph 68, "C11", "C21 ") in the telecommunication network (Figure 1, Reference 9: "Calling Party Information Server");

Definition of an assignment mapping of at least one data set which specifies the assignment between a specific call recipient and a specific reference number of a multimedia object (Figure 1, ; Reference 91: "Calling party information DB");

Sending a connection setup request from the first telecommunication device assigned to the first telecommunication subscriber to the telecommunication network which specifies that a communication link is to be established from the first telecommunication device to a second telecommunication device assigned to a

selected call recipient (Figure 1, Reference 71,
arrows: "Instruction for connection preparation");

Determining the reference number determined for the
selected call recipient on the basis of the assignment
mapping (Figure 1, References 92, 93, 94; Paragraph
64);

Transmission of the multimedia object assigned to the
reference number determined from the telecommunication
network to the second telecommunication device (Figure
1, Reference 94, outgoing arrow: "Calling Party
information");

Playing back the multimedia object at the second
telecommunication device (Figure 2, Step S14).

The object **of claims 1, 3, 8, 9 and 12** is thus not novel
(Article 33(2) PCT).

2.2 D1 also discloses the object of claim 2 (Figure 11,
Reference 3c : "**Calling**-end terminal station"; Reference
36: "Calling party information selector unit"; Reference
38: "Calling-party information summary DB") as well as that
of claims **4 to 6** (Paragraphs 18-20, 106-112). This object
is thus not novel by (Article 33(2) PCT).